

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VICTORIA DIANE FREDERICK,
Plaintiff

v.

NANCY A. BERRYHILL,
Acting Commissioner of the
Social Security Administration,
Defendant

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No. 1:17-cv-01273

(Judge Kane)
(Magistrate Judge Carlson)

ORDER

Before the Court in the above-captioned action is the May 3, 2018 Report and Recommendation of Magistrate Judge Carlson. (Doc. No. 15.) A review of the docket reveals that Defendant waived the opportunity to object to the Report and Recommendation in writing. (Doc. No. 16.) Accordingly, as no timely objections have been filed, on this 31st day of July 2018, upon review of the record and applicable law, **IT IS ORDERED THAT:**

1. The Court **ADOPTS** the Report and Recommendation (Doc. No. 15), of Magistrate Judge Carlson;
2. The Commissioner's decision is **VACATED**, and Plaintiff's request for relief is **GRANTED**;
3. Judgment is **ENTERED** in favor of Plaintiff and against Defendant;
4. This case is **REMANDED** to the Commissioner to conduct a new administrative hearing pursuant to sentence four of 42 U.S.C. § 405(g) and 42 U.S.C. §1383(c)(3); and
5. The Clerk of Court shall **CLOSE** the case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania